EXAMINER'S AMENDMENT

1.   An examiner's amendment to the record appears below. Should the changes and/or

additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR

1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the

payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with

Mr. Steven Fischman (Reg. No. 34,594) on April 8, 2008.

2.   The application has been amended as follows:

a) Specification

In the specification, on page 3, replace all text in paragraph [0010] with:

A Call forwarding feature, such as described in commonly-owned, co-pending United

States Patent Application Nos. 09/168,248 (Docket # IBM YOR9-1998-0263), entitled "Sender-

Specified Delivery Customization", now U.S. Patent No. 6,643,684, and 09/511,977 (Docket #

IBM YOR9-2000-0102) entitled "Method and Apparatus for Providing a Scalable Pervasive

Notification Service", now abandoned, all provide methods for finding and establishing a

communication link between a first user and a second user, but none provides a method enabling

the first user to initiate a request over a second network with the request delivered – via a

persistent data network object – to the second user via a first network.

In the specification, on page 9, at line 9 of paragraph [0044], after "http:", replace "//"

with "\\".

In the specification, on page 11, at line 18, after "http:", replace "//" with "\\".

b) Claim

31. (Currently Amended) A method for establishing communications between first and
second parties through an ~~the~~ intermediary of a server device, said method comprising the steps
of:

    a) generating a request initiated by the ~~a~~ first party for establishing a communications
channel over a telephone communications network between said first party and the ~~a~~ second party;

    b) said server device intercepting said request and attempting to establish said
communications channel over said telephone communications network;

    c) monitoring, at said server, whether said communications channel over said ~~a~~ telephone
communications network has been established in said telephone communications network;

    d) upon determining a failure to establish said communications channel over said telephone
communications network, translating, at said server, the request into a data network object, said data
network object representing a communications capability for subsequently establishing, at one or more
times, a communications channel between said first party and said second party via said telephone
communications network, said data network object being a persistent object and maintaining state
information concerning use of said communications capability, and, said state information being
updateable by said server; said maintained state information including at least: an identification (ID) of
the first party and a ~~the~~ telephone number of a telephone network node associated with said first party,
as well as a ~~the~~ telephone number associated with a ~~the~~ second party's telephone network node, an ~~the~~
IP address or a host name of the first party's data network node, a message from the first party to the
second party, an indication of a number of times the second party is allowed to invoke a

communications capability, and, a counter device to be decremented each time a communication

capability was successfully used;

e)   sending the data network object to the second party via a data communications network,

said data network object enabling the a second party to communicate acceptance of communicating with

said first party back to said server device, said data network object persisting after the first party has

disconnected from the telephone communications network;

f)   upon receipt of said acceptance, initiating via said server device, creation of a

communications channel between the first and the second parties over said telephone communications

network,

        wherein said server device is connected to both said telephone communications and second

telephone communications networks, said data network object further including a request for said

acceptance appearing on a second party's attached network device, and

        said second party accepting said request communicated in said data network object and

communicating this acceptance to the server device via the data communications network, and, in

response to said communicating acceptance, said server device decrementing said counter device and

updating said state information accordingly.

3.   The following is an examiner's statement of reasons for allowance:

        As to claim 31, the prior art of record does not teach or render obvious the limitations

recited in claim 31, when taken in the context of the claim as a whole, specific to upon

determining a failure to establish the communications channel over a telephone communication

network in response to a request from a first party for establishing a communications channel

over the telephone network between the first party and a second party, the server translating the

request into a persistent data network object, wherein the data network object maintaining state

information concerning use of the communications capability, the maintaining state information

can be update by the server, the maintaining state information includes, along with other

information, a counter device to be decremented each time a communication capability was

successfully used, and the network data object persisting after the first party has disconnected

from the telephone communications network, sending the data network object to the second party

via a data communication network such that the data network object enables the second party to

communicate acceptance of communicating with the first party upon receive thereof or at a

future time back to the server device, and in response to communicating acceptance, the server

device decrementing the counter device and updating the state information accordingly.

Any comments considered necessary by applicant must be submitted no later than the

payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for

Allowance."

4.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Diem K. Cao whose telephone number is (571) 272-3760. The

examiner can normally be reached on Monday - Friday, 7:30AM - 3:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DC
April 10, 2008

/Thomas Lee/
Supervisory Patent Examiner, Art Unit 2115